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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/066,057

01/31/2002

Michael B. Zemel

31894-192403

8306

26694

7590

08/11/2009

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WASHINGTON, DC 20043-9998

EXAMINER

FISHER, ABIGAIL L

ART UNIT

PAPER NUMBER

1616

MAIL DATE

DELIVERY MODE

08/11/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Interview Summary</b>	<b>Application No.</b> 10/066,057	<b>Applicant(s)</b> ZEMEL ET AL.	
	<b>Examiner</b> ABIGAIL FISHER	<b>Art Unit</b> 1616	

All participants (applicant, applicant's representative, PTO personnel):

(1) ABIGAIL FISHER. (3) Tom Barry.

(2) JOHANN RICHTER. (4) Nathaniel Gordan Clark

(5) Michael Gollin .

Date of Interview: 06 August 2009.

Type: a) ☐ Telephonic b) ☐ Video Conference  
c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.  
If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: of record.

Identification of prior art discussed: Science Daily, Summerbell.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicants argue that science daily is not an article one of ordinary skill would rely upon for its teaching; the examiner indicated that she disagreed. The teaching of the prior art were discussed. Proposed amendments were discussed. The examiner indicated that an amendment to the claims in which the caloric intake was limited to 2000 to 2500 kcal per day would be entered as simplifying matters for appeal.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

8/06/09	/Johann R. Richter/ Supervisory Patent Examiner, Art Unit 1616
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